

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JOSEPH JODY,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CIV-14-614-D
	)	
DIRECTOR, Oklahoma Department of	)	
Corrections, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

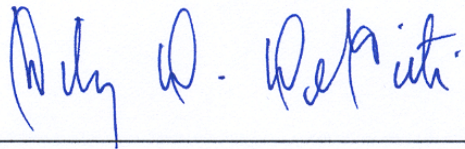
Petitioner, a prisoner appearing *pro se*, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner's claims arise from a July 2013 disciplinary conviction, which the record shows was subsequently expunged. He also seeks an order from the Court allowing him to appear before the parole board. In accordance with 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings. In a Report and Recommendation [Doc. No. 22] issued on February 12, 2015, the Magistrate Judge recommended the petition be dismissed as moot, concluding that the Court cannot grant him any effectual relief because such relief has already been granted and/or the requested relief is not available in a habeas corpus proceeding.

The Magistrate Judge specifically advised Petitioner of his right to object to the findings and recommendations set forth therein. She further advised Petitioner that his failure to timely object would constitute a waiver of his right to appellate review of the factual and legal matters in the Report and Recommendation. Petitioner's deadline for filing objections was March 4, 2015. To date, Petitioner has not filed an objection to the Report and Recommendation or sought an extension

of time in which to do so. Accordingly, the Court adopts the Report and Recommendation in its entirety.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 22] is ADOPTED in its entirety and the petition for writ of habeas corpus [Doc. No. 19] is DISMISSED WITHOUT PREJUDICE as MOOT.

IT IS SO ORDERED this 6<sup>th</sup> day of March, 2015.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE